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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
13711

In Re Application Of: **Jpseph A. Rothnagel, et al.**

# 10/388  
8/22/02

Serial No.  
09/880,253

Filing Date  
June 13, 2001

Examiner  
Unassigned

Group Art Unit  
1645

Title: **EXPRESSION MODULATING SEQUENCES**

Address to:

**Assistant Commissioner for Patents  
Washington, D.C. 20231**

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application; within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or before the mailing date of a first Office Action on the merits, whichever event occurs last.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after three months of the filing of a national application, or the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or after the mailing date of a first Office Action on the merits, whichever occurred last but before the mailing date of either:

1. a Final Action under 37 CFR 1.113, or
  2. a Notice of Allowance under 37 CFR 1.311,
- whichever occurs first.

Also submitted herewith is:

- ☐ a certification as specified in 37 CFR 1.97(e);

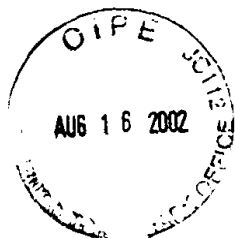
**OR**

- ☐ the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under 37 CFR 1.97(c).

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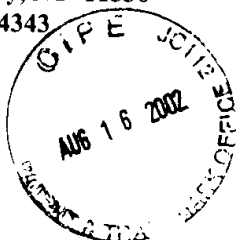
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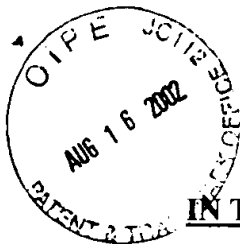
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**Applicants:** Joseph A. Rothnagel, et al.

**Examiner:** Unassigned

**Serial No:** 09/880,253

**Art Unit:** 1645

**Filed:** June 13, 2001

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**For:** EXPRESSION MODULATING  
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Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Pain, V.M. (1986), "Initiation of Protein Synthesis in Mammalian Cells", Biochem. J. 235: 625-637;
2. Modave, K. (1985, "Eukaryotic Protein Synthesis", Ann. Rev. Biochem. 54: 1109-1149;
3. Kozak, M. (1986), "Point Mutations Define a Sequence Flanking the AUG Initiator Codon that Modulates Translation by Eukaryotic Ribosomes", Cell. 44: 283-292;

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

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4. Sonenberg, N. (1990), "Poliovirus Translation", *Curr. Top. Micro. and Imm.* 161: 23-47;
5. Carrington, J.C. and Freed, D.D. (1990), "Cap-Independent Enhancement of Translation by a Plant Potyvirus 5' Nontranslated Region", *J. of Vir.* 64: 1590-1597;
6. Jackson et al. (1990), "The Novel Mechanism of Initiation of Picornavirus RNA Translation", *TIBS* 15: 477-483;
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8. Roberts et al. (1989), "Amplification of the gli Gene in Childhood Sarcomas", *Cancer Res.* 49: 5407-5413;
9. Stein et al. (1999), "GLI Gene Expression in Bone and Soft Tissue Sarcomas of Adult Patients Correlates with Tumor Grade", *Cancer Res.* 59: 1890-1895;
10. Ingham, P.W. (1998), "Transducing Hedgehog: the Story so Far", *EMBO J.* 17: 3505-3511;
11. Johnson, R.L. and Scott, M.P. (1998), "New Players and Puzzles in the Hedgehog Signaling Pathway", *Curr. Opin. Genet. Dev.* 8: 450-456;
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14. Ruppert et al. (1988), "The GLI-Kruppel Family of Human Genes", *Mol. Cell. Biol.* 8: 3104-3113;
15. Walterhouse et al. (1993), "gli, a Zinc Finger Transcription Factor and Oncogene, is Expressed During Normal Mouse Development", *Dev. Dyn.* 196: 91-102;
16. Hui et al. (1994), "Expression of three Mouse Homologs of the Drosophila Segment Polarity Gene cubitus interruptus, Gli, Gli-2 and Gli-3, in Ectoderm- and Mesoderm-Derived Tissues Suggests Multiple Roles during Postimplantation Development", *Dev. Biol.* 162: 402-413;
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20. Chiang et al. (1999), "Essential Role for Sonic hedgehog during Hair Follicle Morphogenesis", *Dev. Biol.* 205: 1-9;
21. Gailani et al. (1996), The Role of the Human Homologue of *Drosophila* Patched in Sporadic Basal Cell Carcinomas", *Nat. Genet.* 14: 78-81;
22. Hahn et al. (1996), "Mutations of the Human Homolog of *Drosophila* Patched in the Nevroid Basal Cell Carcinoma Syndrome", *Cell* 85: 841-851;
23. Johnson et al. (1996), "Human Homolog of patched, a Candidate Gene for the Basal Cell Nevus Syndrome", *Science* 272: 1668-1671;
24. Fan et al. (1997), "Induction of Basal Cell Carcinoma Features in Transgenic Human Skin Expressing Sonic Hedgehog", *Nat. Med.* 3: 788-792;
25. Oro et al. (1997), "Basal Cell Carcinomas in Mice Overexpressing Sonic Hedgehog", *Science* 276: 817-821;
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27. Dahmane et al. (1997), "Activation of the Transcription Factor Gli1 and the Sonic Hedgehog Signalling Pathway in Skin Tumours", *Nature* 389: 876-881;
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37. Boukamp, et al. (1988), "Normal Keratinization in a Spontaneously Immortalized Aneuploid Human Keratinocyte Cell Line", *L. Cell Biol.* 106: 761-771;
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39. Liu, et al.(1998), "Characterization of the Promotor Region and Genomic Organization of GLI, a Member of the Sonic-Hedgehog-Patched Signling Pathway", *Gene* 209:1-11;
40. Janssen and Gardner (1989), "Localized Transient Expression of GUS in Leaf Discs Following Cocultivation with Agrobacterium", *Plant Mol. Biol.* 14: 61-72;
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60. Dellaporta et al. (1988), "Chromosome Structure and Function", pp. 263-282;
61. Ikuta et al. (1990), "The  $\alpha$ -Amylase Gene as a Marker for Gene cloning: Direct Screening of Recombinant Clones", Biotech 8: 241; and
62. Sambrook et al. (1982) Molecular Cloning: A Laboratory Manual, Cold Spring Harbor, NY, USA.

Applicants are submitting copies of the above-cited references.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,



Frank S. DiGiglio, Reg. No. 31,346

Scully, Scott, Murphy & Presser  
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PATENT AND TRADEMARK OFFICE

Atty. Docket No. 13711

Serial No. 09/880,253

**LIST OF PRIOR ART  
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(Use several sheets if necessary)

Applicant: Joseph A. Rothnagel, et al.

Filing Date: June 13, 2001

Group: 1645

**U.S. PATENT DOCUMENTS**

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**OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

	1	Pain, V.M. (1986), "Initiation of Protein Synthesis in Mammalian Cells", Biochem. J. 235: 625-637
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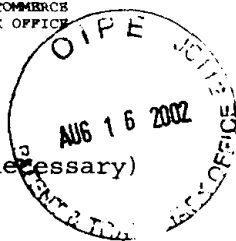
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